

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SMG,

Plaintiff,

v.

THAT CERTAIN 1985 WELLCRAFT
3200 EXPRESS CRUISER MOTOR
YACHT,

Defendant.

No. 2:25-cv-01008-DC-AC

IN ADMIRALTY

ORDER GRANTING PLAINTIFF'S *EX*
PARTE APPLICATION FOR AN ORDER
DIRECTING THE ISSUANCE OF AN
ARREST WARRANT

(Doc. No. 2)

Plaintiff SMG has applied for an order authorizing the Clerk to issue a warrant for the arrest of the Defendant Vessel THAT CERTAIN 1985 WELLCRAFT 3200 EXPRESS CRUISER MOTOR YACHT of Approximately 35.6-Feet in Length and 11-Feet 8 Inches in Beam, Registered With California D.M.V. Under CF Number 4111UC, and all of her engines, tackle, accessories, equipment, furnishings, and appurtenances (the "DEFENDANT VESSEL").

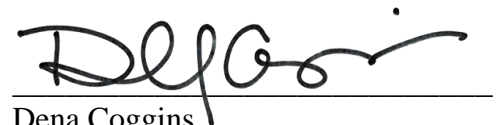
Upon reviewing Plaintiff's Verified Complaint, its supporting exhibit, and the concurrently-filed declaration of Plaintiff's counsel Attorney Philip E. Weiss, the court finds that Plaintiff has satisfied the conditions for an *in rem* forfeiture action in accordance with the Supplemental Rules For Admiralty Or Maritime Claims and Asset Forfeiture Actions ("Supplemental Rules"), and the Local Admiralty and In Rem Rules, appear to exist and is thereby entitled to have the *in rem* DEFENDANT VESSEL arrested by the U.S. Marshal.

Accordingly:

1. Plaintiff's *ex parte* application for an order directing the issuance of an arrest warrant (Doc. No. 2) is GRANTED;
2. The Clerk of the Court is authorized to, and shall issue a Warrant for the Arrest of the DEFENDANT VESSEL, as prayed for in the Verified Complaint, and shall deliver the Warrant to the United States Marshal for this District;
3. The Marshal of this District is authorized to serve the Warrant of Arrest on the DEFENDANT VESSEL, take her into custody in this District, and relinquish custody to the Court-appointed Substitute Custodian as set forth in this Court's concurrently issued Order Appointing Substitute Custodian;
4. Any person claiming an interest in the DEFENDANT VESSEL arrested hereunder shall, upon application to the Court, be entitled to a prompt hearing under the Supplemental Rules and Local Admiralty and In Rem Rule 513, at which time Plaintiff shall be required to show why the arrest should not be vacated or other relief granted; and
5. A copy of this order shall be attached to and served with the Warrant of Arrest to the last known address of the owner of the DEFENDANT VESSEL, and any known maritime lien claimants.

IT IS SO ORDERED.

Dated: April 15, 2025


Dena Coggins
United States District Judge